

HOUSE BILL 2921

By Sparks

AN ACT to amend Tennessee Code Annotated, Section 67-4-2913, relative to preemption of impact fees or adequate facilities taxes which may be assessed or imposed on new development.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 67-4-2913, is amended by designating the existing language as subsection (a) and by adding the following language to be designated as subsection (b):

(b) Notwithstanding any private act, charter provision or other law which imposes an impact fee or adequate facilities tax, no impact fee or adequate facilities tax shall be imposed or assessed on new age-exclusive developments for persons fifty-five (55) years of age and older which also exclude children as permanent residents. This subsection (b) shall be the exclusive authority for local governments with respect to such type of developments.

SECTION 2. Tennessee Code Annotated, Section 67-4-2913, designated as subsection (a) pursuant to Section 1, is amended by adding the following language after the second sentence:

Nothing in this subsection (a) shall prevent a municipality or county from reducing an impact fee or adequate facility tax which is in effect prior to the effective date of this act, or from revising the private act or charter provision to remove specific types of property from being subject to the impact fee or adequate facility tax.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.